

February 11, 2010

TO: Anthony Eggert, Presiding Member
Jeffrey C. Byron, Associate Member

FOM: Stirling Energy Systems, Inc. / Tessera Solar

SUBJECT: Calico Solar (08-AFC-13) Status Report Five

DOCKET 08-AFC-13
DATE FEB 11 2010
RECD. FEB 16 2010

Pursuant to the Committee Scheduling Order dated February 2, 2010, the Applicant hereby submits its Status Report Five for the proposed Calico Solar Project (formerly Solar One) for a solar generating facility.

Schedule:

The Applicant appreciates the updated Committee Schedule dated February 2, 2010 reflects the delay in the Staff Assessment (SA) / Draft Environmental Impact Statement (DEIS) while preserving the decision date. However, the schedule shows the Supplemental Staff Assessment (SSA) / Final Environmental Impact Statement (FEIS) being released two weeks prior to the close of the comment period. The Applicant submitted a proposed revised schedule on February 1, 2010 that corrects the problem and retains the September 30 decision date.

Due to the likely need to relocate desert tortoise in a narrow window in October, the applicant would like to work with the BLM and CEC to ensure that the applicant has access to the site as soon as possible after certification and issuance of the ROW grant. We understand the CEC certification is generally effective immediately, and that BLM has discretion to impose a 30 day period before issuing a Notice to Proceed, but that the BLM regulations provide that the ROW grant can be made effective immediately.

Biology:

The Applicant is actively preparing and completing additional survey work on the Project. During a Data Request Workshop held on December 22, 2009, the CEC and BLM requested the Applicant perform Burrowing Owl surveys for the Project site. The Applicant is completing the surveys and will submit the report documenting results on February 19, 2010. The Applicant is also preparing helicopter surveys of the Mountains to the north of the Project site to identify Golden Eagle nest sites. Helicopter surveys will be performed in February to identify nesting sites and again in April to determine occupancy.

On January 22 the Applicant received draft guidance on desert tortoise translocation from USFWS. The Desert Tortoise Translocation Plan is being revised to reflect the new guidance and is expected to be submitted back for agency review on February 12, 2010.

Soil and Water:

The Army Corps of Engineers confirmed that Calico Solar is isolated and non-jurisdictional in email correspondence on December 8, 2009. On January 28, 2010, the Applicant provided additional information to assist the Corps' preparation of Non-Jurisdictional Determination for submittal to the Environmental Protection Agency (EPA). The Applicant has requested a formal Non-Jurisdictional Determination be finalized by the Corps and EPA, and we will provide to the CEC and BLM upon receipt.

Alternatives:

The Applicant continues to work with both the CEC and BLM to assist with the analysis of a reasonable range of alternatives for the Project, including a 275-MW alternative and an alternative that removes development from acquired and donated lands. The Proposed Project under application remains 850 MW.

Cultural:

At the request of the BLM, the Applicant began resurvey efforts of the remaining cultural sites south of the railroad on January 18, 2010. As discussed during a conference call held on February 5, 2010, the Applicant will work with the BLM and their consultant to fulfill additional recordation requests. On February 1, 2010, the BLM determined that a Programmatic Agreement (PA), instead of a Memorandum of Agreement, would be prepared. The Applicant understands that preparation of the PA will not affect the current Project schedule or decision date.

Water:

As previously indicated, onsite well water is being evaluated as a secondary source of water for the Project. The Applicant will submit results of aquifer modeling and water quality assessment once they are available. Preliminary results will be provided as soon as available (February or March).

Transmission:

The Applicant is anticipating that Southern California Edison will submit its application for the 275 MW upgrades to the BLM in February. The LGIA has been signed by the Applicant and now is making the rounds to be signed by Southern California Edison as well as CAISO.

We would like to thank both the CEC and the BLM for being both responsive and patient with the Applicant as we continue towards our final submittals. We would also like to thank the Committee for addressing the Applicant's need to have a final decision by the end of September in its quick issuance of the Scheduling Order dated February 2, 2009.

Respectfully Submitted, 

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**BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT
COMMISSION OF THE STATE OF CALIFORNIA
1516 NINTH STREET, SACRAMENTO, CA 95814
1-800-822-6228 – WWW.ENERGY.CA.GOV**

**APPLICATION FOR CERTIFICATION
For the SES SOLAR ONE PROJECT**

Docket No. 08-AFC-13

PROOF OF SERVICE

(Revised 12/2/09)

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DECLARATION OF SERVICE

I Corinne Lytle, declare that on February 11, 2010, I served and filed copies of the attached Applicant's Submittal of Status Report #5. The original document, filed with the Docket Unit, is accompanied by a copy of the most recent Proof of Service list, located on the web page for this project at:

[www.energy.ca.gov/sitingcases/solarone].

The documents have been sent to both the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Unit, in the following manner:

(Check all that Apply)

FOR SERVICE TO ALL OTHER PARTIES:

sent electronically to all email addresses on the Proof of Service list;

by personal delivery or by depositing in the United States mail at _____ with first-class postage thereon fully prepaid and addressed as provided on the Proof of Service list above to those addresses **NOT** marked "email preferred."

AND

FOR FILING WITH THE ENERGY COMMISSION:

_____ sending an original paper copy and one electronic copy, mailed and emailed respectively, to the address below (***preferred method***);

~~OR~~

depositing in the mail an original and 12 paper copies, as follows:

CALIFORNIA ENERGY COMMISSION

Attn: Docket No. 08-AFC-13
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512
docket@energy.state.ca.us

I declare under penalty of perjury that the foregoing is true and correct.

Original signed by

Corinne Lytle